

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79959 of 2025

Arising Out of PS. Case No.-171 Year-2025 Thana- SHRIKRISHNAPURI District- Patna

Shashi Kant Son of Mithilesh Ojha Resident of - Parwatiya Tola, Ward No. 2,
P.S. - Bettiah Muffasil, District - West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Kumar Gupta, Advocate

For the Opposite Party/s: Mr. Ramchandra Sahni, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 03-12-2025 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner is apprehending his arrest in connection with Shri Krishnapuri P.S. Case No.171 of 2025 dated 02.07.2025, registered for the offences under Sections 30(a) of Bihar Prohibition and Excise Act.

3. As per the FIR, 492.12 litres of country-made liquor were reportedly recovered from a car bearing Registration No. BR22886133, of which the petitioner is the owner.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in the present case merely on the basis of suspicion. There has been no recovery from the conscious possession of the petitioner, and he



is in no way connected to the recovered country-made liquor. He further submits that, although the petitioner is the owner of the seized car, in fact, on the date of the occurrence, the petitioner's cousin, Rajan Kumar, had approached him and requested the key of the car because his mother was seriously ill, and on good faith, the petitioner handed over the vehicle key. It was only when the police arrived at the petitioner's residence, then he came to know about the incident. Lastly, it is submitted that the petitioner has no criminal antecedents.

5. Learned APP for the State opposed the prayer for anticipatory bail.

6. Regard being had to the submission made by the parties, taking into consideration the fact that illicit liquor has not been recovered from the conscious possession of the petitioner, accordingly, this Court is inclined to grant anticipatory bail to the petitioner.

7. Let the petitioner, above named, be released on anticipatory bail in the event of arrest or surrender before the Court below within a period of four weeks from today on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, Excise-I, Patna, in connection



with Shri Krishnapuri P.S. Case No.171 of 2025, subject to the
condition as laid down under Section 482(2) of the BNSS, 2023.

(Ajit Kumar, J)

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